

# WISCONSIN DEPARTMENT OF REGULATION & LICENSING



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STATE OF WISCONSIN  
BEFORE THE MEDICAL EXAMINING BOARD

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IN THE MATTER OF THE DISCIPLINARY  
PROCEEDINGS AGAINST

FINAL DECISION AND ORDER

DIRCK A. CURRY, D.O.,  
RESPONDENT.

LS9901202MED

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Division of Enforcement

97 MED 404

The parties to this proceeding for purposes of sec. 227.53, Stats., are:

Dirck A. Curry, D.O.  
817 Coborn Court  
Sartell, MN 56377

Wisconsin Medical Examining Board  
1400 E. Washington Ave.  
P.O. Box 8935  
Madison, WI 53708-8935

Department of Regulation and Licensing  
Division of Enforcement  
1400 E. Washington Ave.  
P.O. Box 8935  
Madison, WI 53708-8935

The Wisconsin Medical Examining Board received a Stipulation submitted by the parties to the above-captioned matter. The Stipulation, a copy of which is attached hereto, was executed by Dirck A. Curry, D.O., personally, and by Gilbert C. Lubcke, attorney for the Department of Regulation and Licensing, Division of Enforcement. Based upon the Stipulation of the parties, the Wisconsin Medical Examining Board makes the following Findings of Fact, Conclusions of Law and Order.

FINDINGS OF FACT

1. Dirck A. Curry, D.O., 817 Coborn Court, Sartell, Minnesota 56377, was born on 12/17/55, and has been licensed to practice medicine and surgery in the state of Wisconsin since 8/25/93, licensee # 34736. Dr. Curry's registration to practice medicine and surgery in the state of Wisconsin expired on 10/31/97 and he has not renewed his registration.
2. Dr. Curry specializes in family practice.
3. In February, 1995, L.D. became pregnant and on 5/26/95 she began receiving obstetrical care from Dr. Curry. On 6/29/95, L.D. developed spotting and an evaluation at the emergency room at Devine Savior Hospital in Portage, Wisconsin disclosed the absence of fetal heart tones and fetal activity. The emergency room physician diagnosed intrauterine fetal demise and recommended that the patient contact Dr. Curry on the following day. On 6/30/95, Dr. Curry confirmed fetal demise and admitted L.D. to Devine Savior Hospital for a dilatation and curettage. When Dr. Curry performed the dilatation and curettage on 6/30/95, he lacerated L.D.'s uterus and caused trauma to a major vessel on the right side of the uterus. As a result of the laceration of the uterus and the trauma caused by Dr. Curry's conduct, L.D. required an hysterectomy as well as the removal of her right ovary.
4. Dr. Curry has tendered the voluntary surrender of his right to renew his registration to practice medicine and surgery in the state of Wisconsin and has agreed that he will not renew or attempt to renew his registration in the state of Wisconsin at any time in the future.

CONCLUSIONS OF LAW

1. The Wisconsin Medical Examining Board has jurisdiction in this proceeding pursuant to sec. 448.02, Stats.
2. The Wisconsin Medical Examining Board has the authority to resolve this proceeding by Stipulation without an evidentiary hearing pursuant to sec. 227.44(5), Stats.
3. Dr. Curry's conduct in lacerating L.D.'s uterus and in causing trauma to a major vessel on the right side of the uterus was conduct in violation of sec. 448.02(3), Stats., and Wis. Admin. Code sec. MED 10.02(2)(h).

ORDER

NOW, THEREFORE, IT IS ORDERED that the Stipulation of the parties is approved.

IT IS FURTHER ORDERED that the voluntary surrender of Dirck A. Curry, D.O.'s right to renew his registration to practice medicine and surgery in the state of Wisconsin is accepted.

IT IS FURTHER ORDERED that Dirck A. Curry, D.O. will not renew or attempt to renew his registration to practice medicine and surgery in the state of Wisconsin at any time in the future.

IT IS FURTHER ORDERED that Dirck A. Curry, D.O. will not practice or attempt to practice medicine or surgery in the state of Wisconsin when not currently registered.

IT IS FURTHER ORDERED that pursuant to sec. 448.02(4), Stats., if the Wisconsin Medical Examining Board determines that there is probable cause to believe that Dirck A. Curry, D.O. has violated the terms of this Final Decision And Order of the Wisconsin Medical Examining Board, the Board may order that the license of Dr. Curry to practice medicine and surgery in the state of Wisconsin be summarily suspended pending investigation of the alleged violation.

The rights of a party aggrieved by this Final Decision And Order to petition the Wisconsin Medical Examining Board for rehearing and to petition for judicial review are set forth in the attached "Notice of Appeal Information".

Dated at Madison, Wisconsin, this 20th day of 1999.

WISCONSIN MEDICAL EXAMINING BOARD

By Member, Ronald Grossman, M.D., Wisconsin Medical Examining Board

